

**ELEVENTH LEGISLATIVE DAY
THURSDAY, JANUARY 20, 2005**

House of Representatives

The House convened at 11:45 a.m., Mr. Denney in the Chair.

Roll call showed 68 members present.
Absent and excused -- Bayer, Mr. Speaker. Total -- 2.
Total -- 70.

Prayer was offered by Representative Boe.

The Pledge of Allegiance was led by Laura Heinemann, Page.

Approval of Journal

January 20, 2005

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Tenth Legislative Day and recommend that same be adopted as corrected.

FIELD(18), Chairman

Mrs. Field(18) moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

There being no objection, the House advanced to the Fifth Order of Business.

Report of Standing Committees

January 20, 2005

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **H 7, H 8, H 9, H 10, H 11, H 12, H 13, H 14, and H 15.**

FIELD(18), Chairman

H 7, H 8, H 9, and H 10 were filed for second reading.

H 11, H 12, H 13, H 14, and H 15 were referred to the Revenue and Taxation Committee.

There being no objection, the House advanced to the Eighth Order of Business.

**Introduction, First Reading, and Reference
of Bills and Joint Resolutions**

**HOUSE BILL NO. 16
BY EDUCATION COMMITTEE
AN ACT**

RELATING TO POWERS AND DUTIES OF THE STATE BOARD OF EDUCATION; AMENDING SECTIONS 33-2211, 33-3006 AND 33-3405, IDAHO CODE, TO PROVIDE

CONSISTENCY IN LANGUAGE RELATING TO POWERS OF THE BOARD REGARDING REMOVAL OF EMPLOYEES.

**HOUSE BILL NO. 17
BY EDUCATION COMMITTEE
AN ACT**

RELATING TO POWERS OF THE STATE BOARD OF EDUCATION; AMENDING SECTION 33-3405, IDAHO CODE, TO PROVIDE FOR FLEXIBILITY IN PAYMENT OF SALARIES FOR EMPLOYEES OF THE IDAHO SCHOOL FOR THE DEAF AND THE BLIND AND TO MAKE TECHNICAL CORRECTIONS.

**HOUSE BILL NO. 18
BY EDUCATION COMMITTEE
AN ACT**

RELATING TO STUDENT EDUCATION INCENTIVE LOAN FORGIVENESS CONTRACTS; AMENDING SECTION 33-3722, IDAHO CODE, TO REVISE ELIGIBILITY FOR APPLICATION TO THE STUDENT EDUCATION INCENTIVE LOAN FORGIVENESS CONTRACT, TO AUTHORIZE AWARD OF UNUSED CONTRACTS AND TO DESIGNATE EASTERN IDAHO TECHNICAL COLLEGE AS A PARTICIPATING INSTITUTION AND TO MAKE A TECHNICAL CHANGE.

**HOUSE BILL NO. 19
BY EDUCATION COMMITTEE
AN ACT**

RELATING TO SCHOLARSHIPS AND THE STATE BOARD OF EDUCATION; AMENDING SECTION 33-4302, IDAHO CODE, TO PLACE A LIMIT ON THE LENGTH OF TIME EDUCATIONAL BENEFITS SHALL BE EXTENDED TO A QUALIFIED DEPENDENT, TO PROVIDE PROPER TERMINOLOGY, TO PROVIDE THAT APPLICATION FOR ELIGIBILITY SHALL BE MADE TO THE STATE BOARD OF EDUCATION AND TO PROVIDE DUTIES OF THE STATE BOARD OF EDUCATION FOR VERIFYING AND COMMUNICATING ELIGIBILITY FINDINGS.

**HOUSE BILL NO. 20
BY RESOURCES AND CONSERVATION COMMITTEE
AN ACT**

RELATING TO FISH AND GAME; AMENDING SECTION 36-501, IDAHO CODE, TO PROVIDE LICENSE REQUIREMENTS FOR THE PURCHASE AND SALE OF CHINOOK SALMON, TO PROVIDE LICENSE REQUIREMENTS FOR ESTABLISHMENTS PREPARING CHINOOK SALMON FOR CONSUMPTION, TO PROVIDE CERTAIN LICENSURE EXCEPTIONS RELATING TO THE PURCHASE OF CHINOOK SALMON FOR PERSONAL CONSUMPTION AND TO PROVIDE FOR CONDITIONS AND REPORTING REQUIREMENTS RELATING TO THE IDENTIFICATION OF THE SOURCE OF CHINOOK SALMON PURCHASED AS PRESCRIBED BY IDAHO FISH AND GAME COMMISSION RULE; AND AMENDING SECTION 36-416, IDAHO CODE, TO PROVIDE LICENSE FEES FOR WHOLESALE STEELHEAD AND CHINOOK

SALMON AND RETAIL STEELHEAD AND CHINOOK SALMON BUYERS.

HOUSE BILL NO. 21

BY RESOURCES AND CONSERVATION COMMITTEE
AN ACT

RELATING TO FISH AND GAME; AMENDING SECTION 36-1403, IDAHO CODE, TO REQUIRE MAGISTRATES TO SUBMIT RECORDS OF ALL REVOCATIONS OF TRAPPING PRIVILEGES TO THE IDAHO DEPARTMENT OF FISH AND GAME.

HOUSE BILL NO. 22

BY STATE AFFAIRS COMMITTEE
AN ACT

RELATING TO CODIFIER'S CORRECTIONS IN STATUTES; AMENDING SECTION 5-247, IDAHO CODE, AS ADDED BY SECTION 1, CHAPTER 150, LAWS OF 2000, TO REDESIGNATE THE SECTION; AMENDING THE HEADING FOR CHAPTER 13, TITLE 6, IDAHO CODE, AS ADDED BY SECTION 1, CHAPTER 225, LAWS OF 1980, TO REDESIGNATE THE CHAPTER; AMENDING SECTION 6-1301, IDAHO CODE, AS ADDED BY SECTION 1, CHAPTER 225, LAWS OF 1980, TO REDESIGNATE THE SECTION; AMENDING SECTION 6-1302, IDAHO CODE, AS ADDED BY SECTION 1, CHAPTER 225, LAWS OF 1980, TO REDESIGNATE THE SECTION; AMENDING SECTION 6-1303, IDAHO CODE, AS ADDED BY SECTION 1, CHAPTER 225, LAWS OF 1980, TO REDESIGNATE THE SECTION; AMENDING SECTION 6-1304, IDAHO CODE, AS ADDED BY SECTION 1, CHAPTER 225, LAWS OF 1980, TO REDESIGNATE THE SECTION; AMENDING SECTION 6-1305, IDAHO CODE, AS ADDED BY SECTION 1, CHAPTER 225, LAWS OF 1980, TO REDESIGNATE THE SECTION; AMENDING SECTION 6-1306, IDAHO CODE, AS ADDED BY SECTION 1, CHAPTER 225, LAWS OF 1980, TO REDESIGNATE THE SECTION; AMENDING SECTION 6-1307, IDAHO CODE, AS ADDED BY SECTION 1, CHAPTER 225, LAWS OF 1980, TO REDESIGNATE THE SECTION AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 6-1308, IDAHO CODE, AS ADDED BY SECTION 1, CHAPTER 225, LAWS OF 1980, TO REDESIGNATE THE SECTION; AMENDING SECTION 6-1309, IDAHO CODE, AS ADDED BY SECTION 1, CHAPTER 225, LAWS OF 1980, TO REDESIGNATE THE SECTION; AMENDING SECTION 9-340D, IDAHO CODE, TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 9-350, IDAHO CODE, AS AMENDED AND REDESIGNATED BY SECTION 2, CHAPTER 122, LAWS OF 1996, TO REDESIGNATE THE SECTION; AMENDING SECTION 19-2719A, IDAHO CODE, AS ADDED BY SECTION 4, CHAPTER 140, LAWS OF 1995, TO REDESIGNATE THE SECTION; AMENDING THE HEADING FOR CHAPTER 11, TITLE 22, IDAHO CODE, AS ADDED BY SECTION 2, CHAPTER 413, LAWS OF 1990, TO REDESIGNATE THE CHAPTER; AMENDING SECTION 22-1101, IDAHO CODE, AS ADDED BY SECTION 2, CHAPTER 413, LAWS OF 1990, TO REDESIGNATE THE SECTION; AMENDING SECTION 22-1102, IDAHO CODE,

AS ADDED BY SECTION 2, CHAPTER 413, LAWS OF 1990, TO REDESIGNATE THE SECTION; AMENDING SECTION 22-1105, IDAHO CODE, AS ADDED BY SECTION 2, CHAPTER 413, LAWS OF 1990, TO REDESIGNATE THE SECTION; AMENDING SECTION 22-1106, IDAHO CODE, AS ADDED BY SECTION 2, CHAPTER 413, LAWS OF 1990, TO REDESIGNATE THE SECTION; AMENDING SECTION 22-1107, IDAHO CODE, AS ADDED BY SECTION 2, CHAPTER 413, LAWS OF 1990, TO REDESIGNATE THE SECTION; AMENDING SECTION 22-1110, IDAHO CODE, AS ADDED BY SECTION 2, CHAPTER 413, LAWS OF 1990, TO REDESIGNATE THE SECTION; AMENDING SECTION 22-1111, IDAHO CODE, AS ADDED BY SECTION 2, CHAPTER 413, LAWS OF 1990, TO REDESIGNATE THE SECTION; AMENDING THE HEADING FOR CHAPTER 35, TITLE 25, IDAHO CODE, AS ADDED BY SECTION 1, CHAPTER 72, LAWS OF 1994, TO REDESIGNATE THE CHAPTER; AMENDING SECTION 25-3501, IDAHO CODE, AS ADDED BY SECTION 1, CHAPTER 72, LAWS OF 1994, TO REDESIGNATE THE SECTION; AMENDING SECTION 25-3502, IDAHO CODE, AS ADDED BY SECTION 1, CHAPTER 72, LAWS OF 1994, TO REDESIGNATE THE SECTION; AMENDING SECTION 25-3503, IDAHO CODE, AS ADDED BY SECTION 1, CHAPTER 72, LAWS OF 1994, TO REDESIGNATE THE SECTION; AMENDING SECTION 25-3504, IDAHO CODE, AS ADDED BY SECTION 1, CHAPTER 72, LAWS OF 1994, TO REDESIGNATE THE SECTION; AMENDING SECTION 25-3505, IDAHO CODE, AS ADDED BY SECTION 1, CHAPTER 72, LAWS OF 1994, TO REDESIGNATE THE SECTION; AMENDING SECTION 25-3506, IDAHO CODE, AS ADDED BY SECTION 1, CHAPTER 72, LAWS OF 1994, TO REDESIGNATE THE SECTION; AMENDING SECTION 25-3507, IDAHO CODE, AS ADDED BY SECTION 1, CHAPTER 72, LAWS OF 1994, TO REDESIGNATE THE SECTION; AMENDING SECTION 25-3508, IDAHO CODE, AS ADDED BY SECTION 1, CHAPTER 72, LAWS OF 1994, TO REDESIGNATE THE SECTION; AMENDING SECTION 25-3509, IDAHO CODE, AS ADDED BY SECTION 1, CHAPTER 73, LAWS OF 1994, TO REDESIGNATE THE SECTION; AMENDING SECTION 25-3503, IDAHO CODE, AS ADDED BY SECTION 1, CHAPTER 73, LAWS OF 1994, TO REDESIGNATE THE SECTION; AMENDING SECTION 25-3505, IDAHO CODE, AS ADDED BY SECTION 1, CHAPTER 73, LAWS OF 1994, TO REDESIGNATE THE SECTION; AMENDING SECTION 25-3507, IDAHO CODE, AS ADDED BY SECTION 1, CHAPTER 73, LAWS OF 1994, TO REDESIGNATE THE SECTION; AMENDING SECTION 25-3509, IDAHO CODE, AS ADDED BY SECTION 1, CHAPTER 73, LAWS OF 1994, TO REDESIGNATE THE SECTION; AMENDING SECTION 28-50-101, IDAHO CODE, AS ADDED BY SECTION 1, CHAPTER 422, LAWS OF 2000, TO REDESIGNATE THE SECTION AND TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 28-50-102, IDAHO CODE, AS ADDED BY SECTION 1, CHAPTER 422, LAWS OF 2000, TO REDESIGNATE THE SECTION; AMENDING SECTION 31-868, IDAHO CODE, AS ADDED BY SECTION 1, CHAPTER 312, LAWS OF 1979, TO REDESIGNATE THE SECTION; AMENDING SECTION 31-A3501, IDAHO CODE,

AS ADDED BY SECTION 1, CHAPTER 189, LAWS OF 1982, TO REDESIGNATE THE SECTION; AMENDING SECTION 31-A3502, IDAHO CODE, AS ADDED BY SECTION 1, CHAPTER 189, LAWS OF 1982, AND AMENDED BY SECTION 28, CHAPTER 213, LAWS OF 1990, TO REDESIGNATE THE SECTION; AMENDING SECTION 31-A3503, IDAHO CODE, AS ADDED BY SECTION 1, CHAPTER 189, LAWS OF 1982, TO REDESIGNATE THE SECTION; AMENDING SECTION 31-A3504, IDAHO CODE, AS ADDED BY SECTION 1, CHAPTER 189, LAWS OF 1982, AND AMENDED BY SECTION 3, CHAPTER 300, LAWS OF 2004, TO REDESIGNATE THE SECTION; AMENDING SECTION 31-A3505, IDAHO CODE, AS ADDED BY SECTION 1, CHAPTER 189, LAWS OF 1982, TO REDESIGNATE THE SECTION; AMENDING SECTION 31-A3506, IDAHO CODE, AS ADDED BY SECTION 1, CHAPTER 189, LAWS OF 1982, TO REDESIGNATE THE SECTION; AMENDING SECTION 31-A3507, IDAHO CODE, AS ADDED BY SECTION 1, CHAPTER 189, LAWS OF 1982, TO REDESIGNATE THE SECTION; AMENDING SECTION 31-A3508, IDAHO CODE, AS ADDED BY SECTION 1, CHAPTER 189, LAWS OF 1982, TO REDESIGNATE THE SECTION AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 33-1003A, IDAHO CODE, AS ADDED BY SECTION 1, CHAPTER 321, LAWS OF 1995, TO REDESIGNATE THE SECTION; AMENDING SECTION 33-1513, IDAHO CODE, AS ADDED BY SECTION 3, CHAPTER 388, LAWS OF 2004, TO REDESIGNATE THE SECTION; AMENDING THE HEADING FOR CHAPTER 48, TITLE 33, IDAHO CODE, AS ADDED BY SECTION 10, CHAPTER 234, LAWS OF 1994, TO REDESIGNATE THE CHAPTER; AMENDING SECTION 33-4801, IDAHO CODE, AS ADDED BY SECTION 10, CHAPTER 234, LAWS OF 1994, TO REDESIGNATE THE SECTION; AMENDING SECTION 33-4802, IDAHO CODE, AS ADDED BY SECTION 10, CHAPTER 234, LAWS OF 1994, TO REDESIGNATE THE SECTION; AMENDING SECTION 33-4803, IDAHO CODE, AS ADDED BY SECTION 10, CHAPTER 234, LAWS OF 1994, TO REDESIGNATE THE SECTION; AMENDING SECTION 33-4805, IDAHO CODE, AS ADDED BY SECTION 10, CHAPTER 234, LAWS OF 1994, TO REDESIGNATE THE SECTION; AMENDING SECTION 33-4806, IDAHO CODE, AS ADDED BY SECTION 10, CHAPTER 234, LAWS OF 1994, TO REDESIGNATE THE SECTION; AMENDING SECTION 49-304, IDAHO CODE, TO PROVIDE A CORRECT REFERENCE; REPEALING SECTION 33-5202A, IDAHO CODE, AS ADDED BY SECTION 2, CHAPTER 370, LAWS OF 2004; AMENDING SECTION 34-440, IDAHO CODE, TO REDESIGNATE THE SECTION; AMENDING SECTION 39-1459B, IDAHO CODE, AS ADDED BY SECTION 11, CHAPTER 183, LAWS OF 1976, TO REDESIGNATE THE SECTION AND TO CORRECT A CODIFIER'S ERROR; AMENDING THE HEADING FOR CHAPTER 49, TITLE 39, IDAHO CODE, AS ADDED BY SECTION 1, CHAPTER 333, LAWS OF 1980, TO REDESIGNATE THE CHAPTER; AMENDING SECTION 39-4901, IDAHO CODE, AS ADDED BY SECTION 1, CHAPTER 333, LAWS OF 1980, TO REDESIGNATE THE SECTION; AMENDING SECTION 39-4904, IDAHO CODE, AS ADDED BY SECTION 1,

CHAPTER 333, LAWS OF 1980, TO REDESIGNATE THE SECTION; AMENDING SECTION 39-4905, IDAHO CODE, AS ADDED BY SECTION 1, CHAPTER 333, LAWS OF 1980, TO REDESIGNATE THE SECTION; AMENDING SECTION 39-4906, IDAHO CODE, AS ADDED BY SECTION 1, CHAPTER 333, LAWS OF 1980, TO REDESIGNATE THE SECTION; AMENDING SECTION 39-4907, IDAHO CODE, AS ADDED BY SECTION 1, CHAPTER 333, LAWS OF 1980, TO REDESIGNATE THE SECTION; AMENDING SECTION 39-4908, IDAHO CODE, AS ADDED BY SECTION 1, CHAPTER 333, LAWS OF 1980, TO REDESIGNATE THE SECTION; AMENDING THE HEADING FOR CHAPTER 81, TITLE 39, IDAHO CODE, AS ADDED BY SECTION 1, CHAPTER 357, LAWS OF 2001, TO REDESIGNATE THE CHAPTER; AMENDING SECTION 39-8101, IDAHO CODE, AS ADDED BY SECTION 1, CHAPTER 357, LAWS OF 2001, TO REDESIGNATE THE SECTION; AMENDING SECTION 39-8102, IDAHO CODE, AS ADDED BY SECTION 1, CHAPTER 357, LAWS OF 2001, TO REDESIGNATE THE SECTION; AMENDING SECTION 39-8103, IDAHO CODE, AS ADDED BY SECTION 1, CHAPTER 357, LAWS OF 2001, TO REDESIGNATE THE SECTION; AMENDING SECTION 39-8104, IDAHO CODE, AS ADDED BY SECTION 1, CHAPTER 357, LAWS OF 2001, TO REDESIGNATE THE SECTION; AMENDING SECTION 39-8105, IDAHO CODE, AS ADDED BY SECTION 1, CHAPTER 357, LAWS OF 2001, TO REDESIGNATE THE SECTION; AMENDING SECTION 39-8106, IDAHO CODE, AS ADDED BY SECTION 1, CHAPTER 357, LAWS OF 2001, TO REDESIGNATE THE SECTION; AMENDING SECTION 39-8107, IDAHO CODE, AS ADDED BY SECTION 1, CHAPTER 357, LAWS OF 2001, TO REDESIGNATE THE SECTION; AMENDING SECTION 16-1513, IDAHO CODE, TO PROVIDE CORRECT STATUTORY CITATIONS; AMENDING SECTION 16-1612, IDAHO CODE, TO PROVIDE A CORRECT STATUTORY CITATION; AMENDING SECTION 16-1613, IDAHO CODE, TO PROVIDE A CORRECT STATUTORY CITATION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 16-1623, IDAHO CODE, TO PROVIDE A CORRECT STATUTORY CITATION; AMENDING SECTION 16-1632, IDAHO CODE, TO PROVIDE A CORRECT STATUTORY CITATION; AMENDING SECTION 16-2007, IDAHO CODE, TO PROVIDE A CORRECT STATUTORY CITATION; AMENDING THE HEADING FOR CHAPTER 21, TITLE 40, IDAHO CODE, AS ADDED BY SECTION 1, CHAPTER 331, LAWS OF 1994, TO REDESIGNATE THE CHAPTER; AMENDING SECTION 40-2101, IDAHO CODE, AS ADDED BY SECTION 1, CHAPTER 331, LAWS OF 1994, TO REDESIGNATE THE SECTION; AMENDING SECTION 40-2102, IDAHO CODE, AS ADDED BY SECTION 1, CHAPTER 331, LAWS OF 1994, TO REDESIGNATE THE SECTION; AMENDING SECTION 40-2103, IDAHO CODE, AS ADDED BY SECTION 1, CHAPTER 331, LAWS OF 1994, TO REDESIGNATE THE SECTION; AMENDING SECTION 40-2104, IDAHO CODE, AS ADDED BY SECTION 1, CHAPTER 331, LAWS OF 1994, TO REDESIGNATE THE SECTION; AMENDING SECTION 40-2105, IDAHO CODE, AS ADDED BY SECTION 1, CHAPTER 331, LAWS OF 1994, TO REDESIGNATE THE SECTION; AMENDING SECTION

40-2106, IDAHO CODE, AS ADDED BY SECTION 1, CHAPTER 331, LAWS OF 1994, TO REDESIGNATE THE SECTION; AMENDING SECTION 40-2107, IDAHO CODE, AS ADDED BY SECTION 1, CHAPTER 331, LAWS OF 1994, TO REDESIGNATE THE SECTION; AMENDING SECTION 40-2108, IDAHO CODE, AS ADDED BY SECTION 1, CHAPTER 331, LAWS OF 1994, TO REDESIGNATE THE SECTION; AMENDING SECTION 40-2109, IDAHO CODE, AS ADDED BY SECTION 1, CHAPTER 331, LAWS OF 1994, TO REDESIGNATE THE SECTION; AMENDING SECTION 40-2110, IDAHO CODE, AS ADDED BY SECTION 1, CHAPTER 331, LAWS OF 1994, TO REDESIGNATE THE SECTION; AMENDING SECTION 40-2111, IDAHO CODE, AS ADDED BY SECTION 1, CHAPTER 331, LAWS OF 1994, TO REDESIGNATE THE SECTION; AMENDING SECTION 40-2112, IDAHO CODE, AS ADDED BY SECTION 1, CHAPTER 331, LAWS OF 1994, TO REDESIGNATE THE SECTION; AMENDING SECTION 40-2113, IDAHO CODE, AS ADDED BY SECTION 1, CHAPTER 331, LAWS OF 1994, TO REDESIGNATE THE SECTION AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 41-286, IDAHO CODE, AS ADDED BY SECTION 1, CHAPTER 322, LAWS OF 1994, TO REDESIGNATE THE SECTION; AMENDING SECTION 41-5501, IDAHO CODE, TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 50-2030, IDAHO CODE, AS ADDED BY SECTION 5, CHAPTER 259, LAWS OF 1987, TO REDESIGNATE THE SECTION AND TO PROVIDE A CATCHLINE; AMENDING SECTION 54-2607, IDAHO CODE, TO MAKE TECHNICAL CORRECTIONS; AMENDING THE HEADING FOR CHAPTER 39, TITLE 54, IDAHO CODE, AS ADDED BY SECTION 3, CHAPTER 138, LAWS OF 1989, TO REDESIGNATE THE CHAPTER; AMENDING SECTION 54-3901, IDAHO CODE, AS ADDED BY SECTION 3, CHAPTER 138, LAWS OF 1989, TO REDESIGNATE THE SECTION; AMENDING SECTION 54-3902, IDAHO CODE, AS ADDED BY SECTION 3, CHAPTER 138, LAWS OF 1989, TO REDESIGNATE THE SECTION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-3903, IDAHO CODE, AS ADDED BY SECTION 3, CHAPTER 138, LAWS OF 1989, TO REDESIGNATE THE SECTION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-3904, IDAHO CODE, AS ADDED BY SECTION 3, CHAPTER 138, LAWS OF 1989, TO REDESIGNATE THE SECTION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-3905, IDAHO CODE, AS ADDED BY SECTION 3, CHAPTER 138, LAWS OF 1989, AND AMENDED BY SECTION 91, CHAPTER 216, LAWS OF 1993, TO REDESIGNATE THE SECTION AND TO PROVIDE A CORRECT CODE REFERENCE; AMENDING THE HEADING FOR CHAPTER 45, TITLE 54, IDAHO CODE, AS ADDED BY SECTION 1, CHAPTER 33, LAWS OF 1998, TO REDESIGNATE THE CHAPTER; AMENDING SECTION 54-4501, IDAHO CODE, AS ADDED BY SECTION 1, CHAPTER 33, LAWS OF 1998, TO REDESIGNATE THE SECTION; AMENDING SECTION 54-4504, IDAHO CODE, AS ADDED BY SECTION 1, CHAPTER 33, LAWS OF 1998, TO REDESIGNATE THE SECTION; AMENDING THE

HEADING FOR CHAPTER 27, TITLE 55, IDAHO CODE, AS ADDED BY SECTION 1, CHAPTER 335, LAWS OF 1998, TO REDESIGNATE THE CHAPTER; AMENDING SECTION 55-2701, IDAHO CODE, AS ADDED BY SECTION 1, CHAPTER 335, LAWS OF 1998, TO REDESIGNATE THE SECTION; AMENDING SECTION 55-2702, IDAHO CODE, AS ADDED BY SECTION 1, CHAPTER 335, LAWS OF 1998, TO REDESIGNATE THE SECTION; AMENDING SECTION 55-2703, IDAHO CODE, AS ADDED BY SECTION 1, CHAPTER 335, LAWS OF 1998, TO REDESIGNATE THE SECTION; AMENDING THE HEADING FOR CHAPTER 12, TITLE 56, IDAHO CODE, AS ADDED BY SECTION 1, CHAPTER 261, LAWS OF 2004, TO REDESIGNATE THE CHAPTER; AMENDING SECTION 56-1201, IDAHO CODE, AS ADDED BY SECTION 1, CHAPTER 261, LAWS OF 2004, TO REDESIGNATE THE SECTION; AMENDING SECTION 56-1202, IDAHO CODE, AS ADDED BY SECTION 1, CHAPTER 261, LAWS OF 2004, TO REDESIGNATE THE SECTION; AMENDING SECTION 56-1203, IDAHO CODE, AS ADDED BY SECTION 1, CHAPTER 261, LAWS OF 2004, TO REDESIGNATE THE SECTION; AMENDING SECTION 56-1204, IDAHO CODE, AS ADDED BY SECTION 1, CHAPTER 261, LAWS OF 2004, TO REDESIGNATE THE SECTION AND TO PROVIDE CORRECT CODE REFERENCES; AMENDING SECTION 56-1205, IDAHO CODE, AS ADDED BY SECTION 1, CHAPTER 261, LAWS OF 2004, TO REDESIGNATE THE SECTION; AMENDING SECTION 56-1206, IDAHO CODE, AS ADDED BY SECTION 1, CHAPTER 261, LAWS OF 2004, TO REDESIGNATE THE SECTION; AMENDING SECTION 57-232, IDAHO CODE, AS ADDED BY SECTION 30, CHAPTER 208, LAWS OF 2001, TO REDESIGNATE THE SECTION; AMENDING SECTION 63-3622Y, IDAHO CODE, AS ADDED BY SECTION 1, CHAPTER 435, LAWS OF 1990, TO REDESIGNATE THE SECTION; AMENDING SECTION 67-818, IDAHO CODE, AS ADDED BY SECTION 1, CHAPTER 273, LAWS OF 2000, TO REDESIGNATE THE SECTION; AND AMENDING THE HEADING FOR CHAPTER 62, TITLE 67, IDAHO CODE.

HOUSE BILL NO. 23
BY STATE AFFAIRS COMMITTEE
 AN ACT

RELATING TO REGULATION OF ELECTRONIC BINGO DEVICES; AMENDING SECTION 67-7702, IDAHO CODE, TO DEFINE ADDITIONAL TERMS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 67-7709, IDAHO CODE, TO INCLUDE REFERENCE TO ELECTRONIC BINGO PAPER; AMENDING CHAPTER 77, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-7716, IDAHO CODE, TO GOVERN THE APPROVAL OF ELECTRONIC BINGO DEVICES AND SITE SYSTEMS AND TO AUTHORIZE TESTING; AMENDING CHAPTER 77, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-7717, IDAHO CODE, TO SPECIFY REQUIREMENTS FOR MANUFACTURE AND DISTRIBUTION OF ELECTRONIC BINGO DEVICES INCLUDING REQUIREMENTS FOR DOWNLOAD AND CERTAIN PROHIBITIONS, RESTRICTIONS ON NUMBERS OF FACES PER GAME, AND PROCEDURES FOLLOWING

MALFUNCTIONS; AMENDING CHAPTER 77, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-7718, IDAHO CODE, TO SPECIFY REQUIREMENTS AND DUTIES OF LICENSED DISTRIBUTORS INCLUDING NOTIFICATION REQUIREMENTS AND INVOICE REQUIREMENTS; AND AMENDING CHAPTER 77, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-7719, IDAHO CODE, TO GOVERN OPERATIONS OF LICENSED ORGANIZATIONS.

HOUSE BILL NO. 24
BY STATE AFFAIRS COMMITTEE
AN ACT

RELATING TO FISCAL MATTERS OF FIRE PROTECTION DISTRICTS; AMENDING SECTION 31-1419A, IDAHO CODE, TO PROVIDE THAT THE FISCAL YEAR OF A FIRE PROTECTION DISTRICT SHALL COMMENCE EITHER ON THE FIRST DAY OF OCTOBER OF EACH CALENDAR YEAR, OR ON THE FIRST DAY OF JANUARY OF EACH CALENDAR YEAR, AS ESTABLISHED BY RESOLUTION OF THE FIRE PROTECTION DISTRICT BOARD OF COMMISSIONERS.

HOUSE BILL NO. 25
BY REVENUE AND TAXATION COMMITTEE
AN ACT

RELATING TO STATE INCOME TAX; AMENDING SECTION 63-3026A, IDAHO CODE, TO INCLUDE IN INCOME DERIVED FROM OR RELATING TO SOURCES WITHIN IDAHO, GAINS OR LOSSES REALIZED FROM THE SALE OR OTHER DISPOSITION OF A PARTNERSHIP INTEREST OR STOCK IN AN S CORPORATION TO THE EXTENT OF THE PARTNERSHIP'S OR S CORPORATION'S IDAHO APPORTIONMENT FACTOR IN THE YEAR PRECEDING THE YEAR OF SALE; DECLARING AN EMERGENCY AND PROVIDING A RETROACTIVE EFFECTIVE DATE.

HOUSE BILL NO. 26
BY REVENUE AND TAXATION COMMITTEE
AN ACT

RELATING TO INCOME TAXES; AMENDING SECTION 63-3022, IDAHO CODE, TO REQUIRE, IN THE CASE OF REAL ESTATE INVESTMENT TRUSTS, THAT THE TAXPAYER ADD BACK DIVIDENDS PAID AND DEDUCTED PURSUANT TO SECTIONS 561 AND 857 OF THE INTERNAL REVENUE CODE; DECLARING AN EMERGENCY AND PROVIDING A RETROACTIVE EFFECTIVE DATE.

HOUSE BILL NO. 27
BY REVENUE AND TAXATION COMMITTEE
AN ACT

RELATING TO COLLECTION OF TAXES; AMENDING CHAPTER 30, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-3061A, IDAHO CODE, TO PROVIDE THE MANNER OF SERVICE OF A NOTICE OF LEVY AND DISTRAINT BY THE STATE TAX COMMISSION.

HOUSE BILL NO. 28
BY REVENUE AND TAXATION COMMITTEE
AN ACT

RELATING TO TECHNICAL CORRECTIONS TO THE IDAHO INCOME TAX ACT; AMENDING SECTION 63-3029B, IDAHO CODE, TO PROVIDE THAT PURCHASE OF EQUIPMENT FOR WHICH A DEDUCTION IS ALLOWED UNDER SECTION 179 OF THE INTERNAL REVENUE CODE IS NOT A QUALIFIED INVESTMENT; AMENDING SECTION 63-3029E, IDAHO CODE, TO REVISE DEFINITIONS; AMENDING SECTION 63-3029F, IDAHO CODE, TO CLARIFY THE NEW JOBS CREDIT IN RELATION TO A REVENUE PRODUCING ENTERPRISE AND A TRADE OR BUSINESS; AMENDING SECTION 63-3029I, IDAHO CODE, TO PROVIDE PROPER CITATIONS; AMENDING SECTION 63-3033, IDAHO CODE, TO CONFORM INDIVIDUAL INCOME TAX FILING DATES TO THE DATES PROVIDED IN THE INTERNAL REVENUE CODE FOR CERTAIN PERSONS IN COMBAT ZONES; AMENDING SECTION 63-3036, IDAHO CODE, TO PROVIDE ANNUAL WITHHOLDING TAX RETURNS FOR CERTAIN FARMER-EMPLOYERS; AMENDING SECTION 63-3068, IDAHO CODE, TO PROVIDE THAT IN ALL CASES THAT THE STATUTE OF LIMITATIONS ON COLLECTION OF ASSESSED TAX BEGINS ON THE DATE OF ENTRY OF THE RECORD OF ASSESSMENT; DECLARING AN EMERGENCY AND PROVIDING A RETROACTIVE EFFECTIVE DATE.

HOUSE BILL NO. 29
BY REVENUE AND TAXATION COMMITTEE
AN ACT

RELATING TO COLLECTION OF TAXES; AMENDING CHAPTER 1, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-119, IDAHO CODE, TO AUTHORIZE THE STATE TAX COMMISSION TO CONTRACT WITH QUALIFIED COLLECTION AGENCIES OR ATTORNEYS FOR COLLECTION OF TAXES; AND AMENDING SECTION 63-3065, IDAHO CODE, TO DELETE PROVISIONS AUTHORIZING THE STATE TAX COMMISSION TO CONTRACT WITH COMMERCIAL COLLECTORS FOR OUT-OF-STATE TAX COLLECTIONS AND TO MAKE A TECHNICAL CHANGE.

H 16, H 17, H 18, H 19, H 20, H 21, H 22, H 23, H 24, H 25, H 26, H 27, H 28, and H 29 were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

There being no objection, the House advanced to the Tenth Order of Business.

Second Reading of Bills and Joint Resolutions

HCR 2, HCR 3, HCR 4, and HCR 5, by Judiciary, Rules, and Administration committee, were read the second time by title and filed for third reading.

H 6, by Appropriations Committee, was read the second time by title and filed for third reading.

Third Reading of Bills and Joint Resolutions

H 5 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Acting Speaker recognized Mr. Eskridge to open debate.

The question being, "Shall **H 5** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Jones, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydallch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood. Total -- 68.

NAYS -- None.

Absent and excused -- Bayer, Mr. Speaker. Total -- 2.

Total -- 70.

Whereupon the Acting Speaker declared **H 5** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 2 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Acting Speaker recognized Ms. Kemp to open debate.

The question being, "Shall **H 2** pass?"

Roll call resulted as follows:

AYES -- Anderson, Barraclough, Barrett, Bastian, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Bradford, Cannon, Chadderdon, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Harwood, Henderson, Jaquet, Jones, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydallch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood. Total -- 62.

NAYS -- Andrus, Clark, Hart, Henbest, Sali, Shepherd(8). Total -- 6.

Absent and excused -- Bayer, Mr. Speaker. Total -- 2.

Total -- 70.

Whereupon the Acting Speaker declared **H 2** passed the House. Title was approved and the bill was ordered transmitted

to the Senate.

H 3 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Acting Speaker recognized Mr. Mathews to open debate.

The question being, "Shall **H 3** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Jones, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydallch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood. Total -- 68.

NAYS -- None.

Absent and excused -- Bayer, Mr. Speaker. Total -- 2.

Total -- 70.

Whereupon the Acting Speaker declared **H 3** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 4 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Acting Speaker recognized Ms. Pasley-Stuart and Mr. Lake to open debate.

The question being, "Shall **H 4** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bedke, Bell, Bilbao, Black, Block, Bolz, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydallch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood. Total -- 65.

NAYS -- None.

Absent and excused -- Bayer, Boe, Henbest, Jones, Mr. Speaker. Total -- 5.

Total -- 70.

Whereupon the Acting Speaker declared **H 4** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Moyle moved that the House adjourn until 8 a.m., Friday, January 21, 2005. Seconded by Mr. Sayler. Motion carried.

Whereupon the Speaker declared the House adjourned at 12:24 p.m.

LAWRENCE DENNEY, Acting Speaker

ATTEST:

PAMM JUKER, Chief Clerk